

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWARD BANKS,

Plaintiff,

- against -

MCGLYNN, HAYS & CO., INC., et al.,

Defendants.

X

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DATE FILED: 9/14/2020

19 Civ. 05727 (JPO) (RWL)

ORDER**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

The Court is in receipt of Defendants' request for a discovery conference (Dkt. 93) and Plaintiff's response (Dkt. 94). The parties' applications are resolved as follows:

1. Defendants' request for a discovery conference is denied without prejudice as premature. Defense counsel must comply with his obligation to meet and confer pursuant to this Court's individual rules of practice. If unresolved items remain after the requisite meet and confer, the parties may address them with the Court at that time.

2. Recordings: Plaintiff is correct about what this Court ordered during the August 18, 2020 teleconference – Plaintiff has represented that there is no more than the nine-second recording and that none previously existed. Defendant may pursue that issue at the deposition of Plaintiff and can pursue appropriate relief if warranted based on the facts learned.

3. Authorizations: As the Court previously ordered, Plaintiff shall identify the prospective employers who Plaintiff alleges received negative comments from Defendants; Plaintiff shall also provide authorizations for Defendants to release records pertaining to Plaintiff's application to those specific employers.

4. Depositions: As per above, the parties shall properly meet and confer.
5. Plaintiff's request to file a motion for sanctions is denied without prejudice at this time.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: September 14, 2020
New York, New York

Copies transmitted to all counsel of record.